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10/039,252	01/03/2002	Young Ho Kim	2060-3-17	9322

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LEE, HONG, DEGERMAN, KANG & SCHMADEKA, P.C.  
801 SOUTH FIQUEROA STREET  
14TH FLOOR  
LOS ANGELES, CA 90017

EXAMINER

CHOWDHURY, TARIFUR RASHID

ART UNIT PAPER NUMBER

2871

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n N .

10/039,252

Applicant(s)

KIM ET AL.

Examiner

Tarifur R Chowdhury

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7,9 and 11-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9 and 11-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-7,9 and 11-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Since, the illuminating member (backlight) being flexible is critical and the illuminating member (backlight) can be either flexible or rigid and it is not clear from the specification whether the illuminating member (backlight) used in the instant invention is flexible or rigid, it is concluded that the specification does not reasonably provide enablement for the illuminating member (backlight) being flexible and thus the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected to, to make or use the invention.

Accordingly, for examination purposes, the limitation," flexible" wasn't given any patentable weight.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-5 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamamoto, USPAT 6,445,373.**

4. Yamamoto discloses and shows in Fig. 3, a liquid crystal display assembly comprising:

- a liquid crystal display panel (32) having a polygonal shape and comprising upper and lower surfaces;
- a frame (25) having an optical member (48) and affixed to the lower surface of the display panel(32),wherein the optical member has a periphery;
- an illuminating member (40) positioned under the optical member, wherein the illuminating member has a periphery corresponding to and approximately aligned with the periphery of the optical member; and
- at least one adhesion member (33) installed between the optical and illuminating members and extending along at least one edge of the peripheries of the optical and illuminating members, wherein the at least one

adhesion member does not substantially extend to intersections of edges of the periphery of each of the optical and illuminating members.

Accordingly, claims 1, 4, 5 and 9 are anticipated.

As to claim 2, Yamamoto also discloses (col. 6, line 35) that the adhesion member (33) comprises double-faced adhesive tape.

As to claim 3, Yamamoto also shows in Fig. 3 that the liquid crystal display panel (32) is a square.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 6, 7, 19 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto as applied to claims 1-5 and 9 above.**

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4. Using an optical member such as a reflection board in a liquid crystal display device is common and known in the art and thus would have been obvious to obtain a reflective display. Further, a typical structure for a liquid crystal display includes polarizer being attached to the outer surface of the liquid crystal display panel and thus would have been obvious to avail a proven structure and thus to improve contrast.

Accordingly, claims 6, 7 and 19-21 would have been obvious.

As to claims 22, Yamamoto also discloses (col. 6, line 35) that the adhesion member (33) comprises double-faced adhesive tape.

**5. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto in view of applicant's admitted prior art (AAPA).**

6. As to claim 11, using the liquid crystal display assembly in a mobile communication terminal is considered as intended use and thus would have been obvious. Further, as evidenced by the AAPA shown in Fig 1, a structure for a mobile communication terminal that includes:

- a transmission and reception means positioned at one side of a case;
- an input adjusting means exposed to external portion of the case being adjusted by a user;
- a control means for outputting a driving signal according to an input signal received from the manipulation of the plurality of input adjusting devices; and
- a liquid crystal driving unit for receiving and converting the input and driving signals to letter and image information; and
- a liquid crystal panel positioned in the case so that it can be shown from the

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outside, for displaying letter or image information by the liquid crystal display driving unit.

Accordingly, claims 11-14 would have been obvious.

As to claim 15, Yamamoto also discloses (col. 6, line 35) that the adhesion member (33) comprises double-faced adhesive tape.

As to claim 16, using an optical member such as a reflection board in a liquid crystal display device is common and known in the art and thus would have been obvious to obtain a reflective display.

As to claim 17, a typical structure for a liquid crystal display includes polarizer being attached to the outer surface of the liquid crystal display panel and thus would have been obvious to avail a proven structure and thus to improve contrast.

As to claim 18, Yamamoto shows in Fig. 3 that the illuminating member is a back light sheet.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-7, 9, 11-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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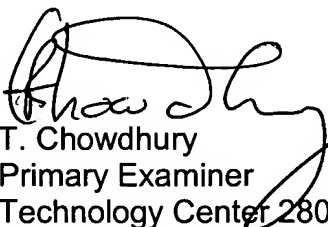
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7005 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

TRC  
September 20, 2003

  
T. Chowdhury  
Primary Examiner  
Technology Center 2800